

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

CASE NO 13-07721-MCF

MADELINE RESTO LOPEZ

CHAPTER 13

DEBTOR

MOTION AND NOTICE OF FILING OF POST-CONFIRMATION  
MODIFICATION OF CHAPTER 13 PLAN

TO THE HONORABLE COURT:

COMES NOW, MADELINE RESTO LOPEZ, debtor in the above captioned case through the undersigned attorney, and very respectfully states and prays as follows:

1. The debtor is hereby submitting a Post-confirmation Modification of Chapter 13 Plan, dated April 17, 2015, which plan cures any and all arrears with the Chapter 13 Plan payments. The debtor incur in arrears due to an economic situation caused her accumulate the arrears with the Trustee.

2. Therefore, debtor will continue to make the payments to the Trustee and increase the payment Plan to \$225.00 beginning in May 2015.

WHEREFORE debtor respectfully requests the allowance of the requested modification of Plan dated April 17, 2015.

NOTICE

Within twenty one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief

Page -2-  
Case No. 13-07721-MCF  
Madeline Resto Lopez

**is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.**

I CERTIFY that on this same date a copy of this notice was sent by the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee; and also certify that I have mailed by United States Postal Service copy of this motion to the following non CM/ECF participants: debtor, Madeline Resto Lopez; and to all creditors and parties in interest in the present case.

**RESPECTFULLY SUBMITTED.**

In Cayey, Puerto Rico this 20<sup>th</sup> day of April, 2015.

/s/Miriam A. Murphy-Lightbourn  
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Document Page 3 of 3  
 United States Bankruptcy Court  
 District of Puerto Rico

IN RE:

Case No. **13-7721****RESTO LOPEZ, MADELINE**Chapter **13**

Debtor(s)

**CHAPTER 13 PAYMENT PLAN**

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: **4/17/2015**☐ AMENDED PLAN DATED: \_\_\_\_\_☐ PRE ☒ POST-CONFIRMATIONFiled by: ☐ Debtor ☐ Trustee ☐ Other**I. PAYMENT PLAN SCHEDULE**

\$ **200.00** x **14** = \$ **2,800.00**  
 \$ **0.00** x **5** = \$ **0.00**  
 \$ **225.00** x **41** = \$ **9,225.00**  
 \$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
 \$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_

TOTAL: \$ **12,025.00**

Additional Payments:

\$ \_\_\_\_\_ to be paid as a LUMP SUM  
 within \_\_\_\_\_ with proceeds to come from:

☐ Sale of Property identified as follows:☐ Other:

Periodic Payments to be made other than, and in  
 addition to the above:

\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_

PROPOSED BASE: \$ **12,025.00****III. ATTORNEY'S FEES**

(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee  
 Disclosure Statement: \$ **2,311.00**

Signed: 

Debtor

Joint Debtor

**II. DISBURSEMENT SCHEDULE**

A. ADEQUATE PROTECTION PAYMENTS OR \_\_\_\_\_ \$ \_\_\_\_\_

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.☒ Creditors having secured claims will retain their liens and shall be paid as follows:1. ☒ Trustee pays secured ARREARS:Cr. **DLJ MORTGAGE CA** Cr. \_\_\_\_\_ Cr. \_\_\_\_\_# **CLAIM 1** # \_\_\_\_\_ # \_\_\_\_\_\$ **3,730.50** \$ \_\_\_\_\_ \$ \_\_\_\_\_2. ☐ Trustee pays IN FULL Secured Claims:

Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_

# \_\_\_\_\_ # \_\_\_\_\_ # \_\_\_\_\_

\$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_

# \_\_\_\_\_ # \_\_\_\_\_ # \_\_\_\_\_

\$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:5. ☐ Other:6. ☒ Debtor otherwise maintains regular payments directly to:**DLJ MORTGAGE CA**C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.  
11 U.S.C. § 507 and § 1322(a)(2)D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.1. (a) Class A: ☐ Co-debtor Claims / ☐ Other: \_\_\_\_\_☐ Paid 100% / ☐ Other: \_\_\_\_\_

Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_

# \_\_\_\_\_ # \_\_\_\_\_ # \_\_\_\_\_

\$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)

Attorney for Debtor **Miriam A. Murphy Murphy Law Office**Phone: **(787) 263-2377**